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Fifty-ninth session

VERBATIM RECORD OF THE 1696th MEETING

Held at Headquarters, New York,
on Tuesday, 2 June 1992, at 10.30 a.m.

President: Mr. FELIX-PAGANON (France)

- Report of the Secretary-General on credentials (T/1967) (continued)

- Adoption of the report of the Trusteeship Council to the Security Council (Security Council resolution 70 (1949)): report of the Drafting Committee (T/L.1283)

- Attainment of self-government or independence by the Trust Territories (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolutions 1514 (XV) and 46/71) (continued)

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- Cooperation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1654 (XVI)) (continued)

- Organization of work

- Suspension of the fifty-ninth session of the Trusteeship Council

The meeting was called to order at 11.10 a.m.

REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS (T/1967) (continued)

The PRESIDENT (interpretation from French): If there are no comments on the Secretary-General's report on credentials (T/1967), I shall take it that the Council decides to take note of the report of the Secretary-General on credentials for the fifty-ninth session.

It was so decided.

ADOPTION OF THE REPORT OF THE TRUSTEESHIP COUNCIL TO THE SECURITY COUNCIL (SECURITY COUNCIL RESOLUTION 70 (1949)): REPORT OF THE DRAFTING COMMITTEE (T/L.1283)

The PRESIDENT (interpretation from French): The Council will now consider the report of the Drafting Committee on conditions in the Trust Territory of the Pacific Islands (T/L.1283). I call on the representative of the United Kingdom, who was the Chairman of the Drafting Committee, to introduce the report.

Mr. EVANS (United Kingdom): The Drafting Committee established by the Trusteeship Council at its 1693rd meeting, on 28 May, held one drafting meeting on 29 May. Representatives of China, France, the Russian Federation and the United Kingdom participated. Other informal contacts took place as necessary.

The Drafting Committee considered the annual report of the Administering Authority, the report of the United Nations Visiting Mission and the statements to the Trusteeship Council of representatives of Palau, representatives of the Administering Authority and members of the Council.

(Mr. Evans, United Kingdom)

The Committee's draft conclusions and recommendations are contained in document T/L.1283, which has now been distributed. They have the support of all members of the Council, and I therefore propose that they be adopted.

I should like to express my delegation's appreciation to the members of the Council for their excellent cooperation in the drafting of these conclusions and recommendations and to the Administering Authority for its assistance in clarifying points of detail.

The PRESIDENT (interpretation from French): It is my understanding that the members of the Council are prepared to waive rule 57 of the rules of procedure of the Trusteeship Council, which specifies that draft reports and draft resolutions should be circulated to the members 24 hours in advance of the meeting at which they are to be considered.

It was so decided.

The PRESIDENT (interpretation from French): If there are no comments, may I take it that the Council decides to adopt without a vote the draft conclusions and recommendations in the annex to the report of the Drafting Committee?

It was so decided.

The PRESIDENT (interpretation from French): The draft conclusions and recommendations we have just adopted will constitute the second part of our report to the Security Council. The first part of the report will contain an overview of our deliberations, in accordance with customary practice.

That concludes our consideration of the item.

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES (TRUSTEESHIP COUNCIL RESOLUTION 1369 (XVII) AND GENERAL ASSEMBLY RESOLUTION 1413 (XIV)) AND THE SITUATION IN TRUST TERRITORIES WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTIONS 1514 (XV) and 46/71) (continued)

COOPERATION WITH THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTION 1654 (XVI)) (continued)

The PRESIDENT (interpretation from French): As agreed by members of the Council at our 1693rd meeting, on 28 May 1992, the Council will now resume consideration of items 11 and 12, which we decided to consider jointly.

Members will recall that at that meeting we decided to take a decision today on these agenda items.

May I suggest that the Council decide to draw the attention of the Security Council to the Trusteeship Council's deliberations on the attainment, in accordance with the relevant provisions of the Charter, and in particular, Article 83, of independence by the Trust Territory and to the statements made by members of the Council on those questions during the current session?

It was so decided.

ORGANIZATION OF WORK

The PRESIDENT (interpretation from French): Members of the Council will recall that at our 1694th meeting, on 29 May, the representative of the United Kingdom drew the Council's attention to General Assembly resolution 46/190, which in paragraph 14

"Invites the Trusteeship Council to review its meeting requirements".

The representative of the United Kingdom suggested that the Secretariat might lower its forecast of the number of meetings for the Council's next session. That suggestion was endorsed by the representatives of France and the United States. The Council also heard a statement on the subject by the representative of the Russian Federation.

(The President)

Following consultations, I understand the Council is agreed that I should invite the Secretariat to make the necessary changes on the basis of the resources used during the Council's last two sessions.

It was so decided.

The PRESIDENT (interpretation from French): I now call on the representative of Papua New Guinea, who has expressed a desire to speak at this stage in our deliberations.

Mr. LOHIA (Papua New Guinea): Thank you, Sir, for allowing me to speak again. I had not intended to do so, but circumstances surrounding our collective, constructive debate on the situation in Palau lead me to make some additional remarks.

In my absence yesterday some counter-arguments were advanced against the remarks my delegation contributed to the debate on Friday, 29 May. May I add that I have told the Secretariat office responsible for press releases that the report of parts of my remarks was inaccurate; my delegation does not insist on the Council and the Administering Authority having a plan. I am pleased to note that that office has agreed to correct that report.

All I need to say about what was said yesterday is that my remarks on Friday were endorsed by the representative of the Palau Government in his closing remarks yesterday.

(Mr. Lohia, Papua New Guinea)

I should like to make a number of additional remarks. The first relates to the manner in which the Palauan delegation should properly be treated by the Council in its meetings. I believe that the delegation of Palau, when it comes to the Council, should be given the appropriate and necessary protocol treatment, like that followed during the Visiting Mission. We met with representatives of the Government and the people quite separately during the Visiting Mission; we also met with the representatives of the Administering Authority. That led to a report that, I am happy to say, has been adopted by the Council unanimously.

However, my delegation has observed for quite some time that when the delegation of Palau comes here it does so under the delegation of the Administering Authority. In their presentations, its members are introduced as part of the delegation of the Administering Authority. I regret to say that this kind of approach hinders the independence of the submissions of the delegation of Palau, and does not give them the protocol status that should be required when the representatives of Palau come here. They should be given their own table, from which they should be called upon to address the question of Palau, rather than being introduced by representatives of the Administering Authority. I think the present procedure is discouraging, and I hope the Council will improve the way in which the representatives of Palau are received at its meetings and in connection with all other official dialogue.

(Mr. Lohia, Papua New Guinea)

Secondly, I want to comment on the ad hoc and reactionary manner in which development in Palau has been pursued by the Administering Authority for quite some time. It was rumoured in Palau during the Visiting Mission, and also here in New York, that the marijuana raid by the authorities at the time of the Trusteeship Council Visiting Mission was a planned activity, so that the Mission should be able to identify it as an appropriate activity. Of course, we recognize that this was a rumour, but it gives some misconception of what is being done.

Also, it has been brought to my notice that approval on funds for projects immediately before the Visiting Mission and at the time of the Council's session leads some in Palau to conclude that no real comprehensive programme or activity is pursued unless there is a Visiting Mission or some other activity of that kind. I hope that attempts will be made by all parties to mount a comprehensive programme of activities for the development of Palau towards self-determination and, if the people of Palau so desire, independence.

Thirdly, in my delegation's view, the abolition of the office of High Commissioner to the Trust Territory of the Pacific Islands is a step backwards. We understand that the termination by the Trusteeship Council and the Security Council of the Trusteeship Agreement on the Trust Territory of the Pacific Islands is a partial termination for the three entities it dealt with. However, the Trusteeship Council's agreement on Palau still applies. But there are rumours that the Council decision may have terminated the Trusteeship Agreement. It may be because of this that the office of High Commissioner was abolished.

(Mr. Lohia, Papua New Guinea)

The Council has now agreed that some high representation should be maintained by the Administering Authority on the ground in Palau so that administrative decisions can be made regarding the approval of requests or the implementation of projects.

These remarks are made not necessarily to say that what has been going on recently is unacceptable. We are pleased that more efforts are being made towards the development of the last entity of the Trust Territory of the Pacific Islands, and we hope that the Trusteeship Agreement on the Trust Territory of the Pacific Islands is still valid, and is therefore valid for Palau.

Mrs. TAHIR-KHELI (United States): As I listened to the comments we just heard from Ambassador Lohia, a couple of things came to mind, and I thought that, this being, we hope, in reality the very last meeting of this session, perhaps I ought to say just a few words.

I think what is striking as we look at where we are in our discussions on Palau is the basically unanimous agreement that exists that it is time for Palau to be in a different situation than it is in currently, and the cooperative way in which we have gone about these discussions and the Visiting Mission that preceded them.

I would like to remind members of the Council and also the Ambassador of Papua New Guinea that the Visiting Mission that went to Palau - which I think was a very constructive one - did so as a result of an invitation from the Administering Authority. Thus, there was no intention to keep developments in Palau from members of the Council and members of the Visiting Mission. The Visiting Mission was welcome, because it was important to have it there; and I think we have benefited from the results. So this is not an adversarial

(Mrs. Tahir-Kheli, United States)

relationship. We all want to do the right thing together, and I hope we are making progress on that.

The other point I would like to make is that it has just been said that the composition of the delegation from the Administering Authority inhibits participation by the delegation from Palau. The proof of the pudding is in the eating. I think it is unusual to have a delegation in which there is the kind of free discussion the Council heard. I think Minister Olikong's statement was hardly one where he felt inhibited about saying what he had to say. The statement the Council heard yesterday from the representative of Palau was also a very frank one. One of the great things about democracy such as we have in the United States is that it allows for variance in opinion - and such variance was voiced.

Therefore, I have to disagree with the contention that somehow the Administering Authority prevailed on the Government of Palau not to speak its mind. I think the records of this Council will amply demonstrate quite the contrary state of affairs.

Having made those brief remarks, I want to say that I look forward to continuing cooperation with the other members of the Council as we deal with the question of self-determination for Palau.

The PRESIDENT (interpretation from French): With regard to the last point raised by the representative of the United States on a strictly procedural matter, a cursory reading of the rules of procedure of the Trusteeship Council reveals that there are only three possibilities for participation in the work of the Trusteeship Council, namely, by a Member of the Council, by a member of the United Nations invited to take part in the work of the Council without the right to vote, and by a petitioner. For representatives of the Government of Palau, I do not think the second option is currently possible, nor do I believe that it would be appropriate or proper for them to speak as petitioners. Therefore, strictly from the standpoint of the rules of procedure of the Council, it would appear that the current procedure is the only solution undoubtedly available to us. Furthermore, I note that the protocol standing accorded to representatives of Palau in the list for the United States delegation is comparatively high.

SUSPENSION OF THE FIFTY-NINTH SESSION OF THE TRUSTEESHIP COUNCIL

The PRESIDENT (interpretation from French): In accordance with the procedure adopted at the Council's previous sessions, we shall now recess and meet in a resumed session to consider the draft report of the Trusteeship Council to the Security Council. Members will be informed in due course of the precise date of the resumption of our session.

As members are aware, the session has not yet been completed and members who so wish will therefore have a further opportunity to speak when the Council resumes its session to finalize its report to the Security Council. In keeping with past practice, I shall ask the Secretariat to prepare a draft of our report to the Security Council. When it is completed, I shall hold informal consultations on its contents before the resumption of the session.

(The President)

Before suspending the session, I should like, as is customary, to make a brief statement as President.

I shall be very brief, first of all in order to remain faithful to the instructions we have just given the Secretariat in the matter and, also, for fear of concluding this meeting all alone if I were to be too lengthy - for I have noticed a certain trend towards a reduction in the number of participants.

All things considered, we can say that we have had a satisfactory outcome to our work. At the opening of our deliberations I think there might have been a threatening cloud hanging over this session - that is, routine: the routine of holding meetings similar to the 1,690 previous meetings, taking up the report of the the Administering Authority, listening to petitioners, taking up the report of the Visiting Missions to Palau, all the while dreaming that this would be the last session but, bearing in mind past practice, without any great conviction that it would indeed be the last.

I believe that that has not at all been the case. I think that this session has confirmed the feeling of the Council's Visiting Mission to Palau that the Territory is no doubt very near a decisive choice as to its final status. With one exception, this feeling was corroborated by the representatives of Palau in statements in the Council, thus reaffirming the Mission's view that there existed in Palau the will to find a solution. Also, we heard with one exception, and I think also confirms the view that the mission was trying hard to find a solution. We also heard from the Administering Authority an affirmation of its very strong determination to find a solution.

(The President)

The terms for a choice are now well known: the adoption of an agreement of free association or, if that should prove to be impossible, the independence option; and the dates have been fixed.

On principle, we should have a better idea on 13 July. It is clear, however, that, whatever option emerges or is decided upon after 13 July, the cooperation of the Trusteeship Council will be required with regard to the Administering Authority and the people of Palau. In the end, I believe that all of us can pledge the full support of the Trusteeship Council in implementing the solution which, I am convinced, will emerge in a spirit of consensus.

Before concluding, I should like on behalf of the Council to thank the interpreters as well as the other members of the Secretariat who organized our work, as usual, in an outstanding fashion and without whom this session could not indeed have been held. I am also grateful to the representatives of the specialized agencies for their participation in our session.

On that note of thanks, I declare the fifty-ninth session of the Trusteeship Council suspended.

The meeting rose at 11.35 a.m.